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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 09-1150 SI
)	
Plaintiff,)	
)	STIPULATION AND [PROPOSED]
v.)	ORDER DOCUMENTING EXCLUSION
)	OF TIME
ALEX CHIU,)	
)	
Defendant.)	

With the agreement of the parties, and with the consent of the defendant Alex Chiu (“defendant”), the Court enters this order documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from May 10, 2010, to June 15, 2010. The Court finds and holds, as follows:

1. The defendant Alex Chiu appeared before the Court on April 9, 2010. At that time, the Court set a trial date of June 21, 2010 and a pretrial conference date of June 15, 2010. Counsel for the United States informed the Court at the appearance on April 9, 2010 that he would be out of the office for approximately 22 days in May, *i.e.*, from about May 10, 2010 through May 31, 2010. In addition, since the parties’ appearance, counsel for the parties have agreed that each counsel will need the period from at least May 31, 2010 to the date of the pretrial conference on June 15, 2010 to prepare pretrial filings, to

STIP. & [PROPOSED] ORDER DOCUMENTING
EXCLUSION OF TIME [CR 09-1150 SI]

1 prepare for the pretrial conference, and to prepare for trial and that, accordingly, that
 2 period of time should be excluded from Speedy Trial calculations based on the need for
 3 effective preparation of counsel.

4 2. Based on these facts, the Court finds that, taking into the account the public
 5 interest in the prompt disposition of criminal cases, setting a trial for June 21, 2010 and a
 6 pretrial conference for June 15, 2010 and excluding time from May 10, 2010 to June 15,
 7 2010 is necessary for continuity of government counsel and for effective preparation of
 8 both government counsel and defense counsel. See 18 U.S.C. § 3161(h)(7)(B)(iv). Given
 9 these circumstances, the Court finds that the ends of justice served by excluding the
 10 period from May 10, 2010 to June 15, 2010, outweigh the best interest of the public and
 11 the defendant in a speedy trial. Id. § 3161(h)(7)(A).

12 3. Accordingly, and with the consent of the defendant, the Court orders that
 13 the period from May 10, 2010 to June 15, 2010, be excluded from Speedy Trial Act
 14 calculations under 18 U.S.C. §§ 3161(h)(1)(D) and 3161(h)(7)(A) and (B)(iv).

15
 16 DATED: April 14, 2010

JOSEPH P. RUSSONIELLO
 United States Attorney


17
 18
 19 /s/
 KYLE F. WALDINGER
 Assistant United States Attorney

20
 21 DATED: April 14, 2010

/s/
 BRIAN H. GETZ
 Attorney for defendant Alex Chiu

22
 23 IT IS SO ORDERED.

24 DATED: April ___, 2010


 SUSAN ILLSTON
 United States District Judge